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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/592,923	09/14/2006	Chan-bok Seok	1365-7 PCT US (US06P07)	5777
28349 7590 09/12/2008 DILWORTH & BARRESE, LLP 333 EARLE OVINGTON BLVD. SUITE 702 UNIONDALE, NY 11553				
EXAMINER DUNN, DANIELLE N				
ART UNIT		PAPER NUMBER		
2875				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/592,923

Applicant(s)

SEOK, CHAN-BOK

Examiner

Danielle Dunn

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 September 2006.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-5 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
3) ☐ Information Disclosure Statement(s) (PTO/SG/US)
Paper No(s)/Mail Date _____
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

Priority

1. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Uke et al. (US 2005/0068767), Brass et al. (US 2004/0021573), and further in view of Coleman et al. (US 2004/0032731).

With respect to claims 1-3, Uke et al. teach a power source buried within a body (batteries 100, 101, 102, and 103 are inside of the battery housing 10; Fig. 3), a reflection mirror (light bulb fitting 35; Fig. 3), and an outer lid mounted on the upper end portion of the body in a perpendicular direction to the body (bezel 30; Fig. 3). Uke et al. teach a switch mounted on the right side or left side of the body (switch 80 is mounted on the right side of the body; Fig. 3). Uke et al. also teach a lower lid (end cap 40; Fig. 3) mounted on the lower end of the body. Uke et al. teach a cylindrical filter keeping

case mounted on the front surface of the body (bezel 30 acts as a cylindrical filter keeping case) and a plurality of color filters contained inside the filter keeping case. Uke et al. teach the lower lid (end cap 40) being connected with the body by rotation of a rotational locking member (end cap 40 is rotated on to the bottom of the flashlight housing until it is locked into the closed position, required by the device) and a conducting latch member connected to the rotational locking member connects an electric wire with the power source (coil spring 52), the electric wire being connected to the electric bulb (coil spring 52 is electrically connected to the electric bulb 34; Fig. 3). Uke et al. teach an inner transparent lid is mounted between the reflection mirror and the outer lid (lens, unnumbered; col. 6, ln 64-65 and col. 7, ln 5-7 teach that it is typical to have a lens covering and protecting the reflector and light source).

Uke et al. do not explicitly teach the body being rectangular. However, Brass et al. teach a body formed in a rectangular solid shape (shown in Fig. 1). Uke et al. and Brass et al. do not explicitly teach a plurality of color filters being contained inside the color filter keeping case. However, Coleman et al. teach a multi-color light filter (30) that is held between the reflector (2) and the base support (19) in Figure 4.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to modify the device of Uke et al. to be made with a rectangular body because this will allow the device to be placed down without it rolling, since it has been held by the courts that a change in shape or configuration, without any criticality, is nothing more than one of numerous shapes that one of ordinary skill in the art will find obvious to provide based on the suitability for the intended final application.

See *In re Dailey*, 149 USPQ 47 (CCPA 1976). It appears that the disclosed device would perform equally well shaped as disclosed by Brass et al. It also would have been obvious to one of ordinary skill in the art to modify the device of Uke et al. to include the color filters as taught by Coleman et al. because this will allow one to have an image projected onto a distant object or conveyed to an observer remote from the device.

With respect to claim 4, Uke et al. teach a light bulb (34). Uke et al. do not explicitly teach a plurality of satellite LED bulbs mounted around an electric bulb. However, Uke et al. teach the term "light source" referring to a component that generates light when electrically energized by a battery including light emitting diodes, light bulbs, and the like. Brass et al. teach a plurality of satellite LED bulbs (six light emitting diodes 103) being mounted around an electric bulb (two light emitting diodes 105). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Uke et al. to include satellite LEDs mounted around the electric bulb as taught by Brass et al. because this increases the luminance of the device.

4. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Uke et al. (US 2005/0068767), Brass et al. (US 2004/0021573), Coleman et al. (US 2004/0032731), and further in view of Pratt (US 1,917,060).

With respect to claim 5, Uke et al., Brass et al and Coleman et al. teach all the limitations as disclosed above. Uke et al., Brass et al. and Coleman et al. do not

explicitly teach a spare bulb keeping recess being formed on the upper end of the inside of the body. However, Pratt teaches a spare bulb keeping recess being formed on the upper end of the inside of the body (spare lamp 70 keeping recess formed on the upper end of the inside of the body is shown in Fig. 2; page 3, ln 56-65). Therefore, it would have been obvious to one of ordinary skill in the art to modify the device of Uke et al., Brass et al. and Coleman et al. to include the spare lamp bulb keeping recess because it allows for an operator to keep a spare bulb handy for replacing a broken bulb.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US 4,292,664 teach a lamp mounted perpendicular to the body. US 5,424,927 teach a flashlight with color filters. US 2,312,670 teach a lamp carrying a spare bulb. US 2,466,414 teach a flashlight with the bulb mounted perpendicular to the body with a spare bulb.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Danielle Dunn whose telephone number is (571)270-3039. The examiner can normally be reached on Monday thru Friday 9:00AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on 571-272-2378. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ismael Negron/
Primary Examiner
Art Unit 2885

DND
8/29/08